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Docket No. 56492 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Anderson, et al.

Examiner: Steven L. Ashburn

U.S.S.N.: 10/091,742

Art Unit: 3714

FILED: 3/5/2002

Confirmation No.: 8190

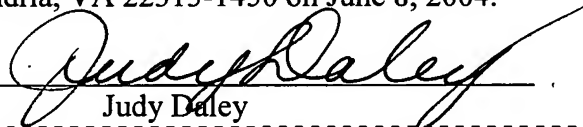
FOR: SIMULATION SYSTEM FOR IMAGE-GUIDED MEDICAL PROCEDURES

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 8, 2004.

By:

  
Judy Daley

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is  
[X] a small entity. A statement:  
[ ] is attached.  
[ ] was already filed.  
[ ] other than a small entity.

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### EXTENSION OF TERM

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

*NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.*

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply. (complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input checked="" type="checkbox"/>	three months	\$ 950.00	\$ 475.00

Fee: \$475.00

If an additional extension of time is required, please consider this a petition therefor.  
(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY				OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	O R	Rate	Addit. Fee
99	75	24	\$9.00	\$		\$18.00	216.00
Independent Claims Remaining After Amendment 4	6		\$42.00	\$		\$84.00	\$0
First Presentation of Multiple Dependent Claim+			\$145.00	\$		\$280.00	
						Total Addit. Fee	<b>\$216.00</b>

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

*(complete (c) or (d), as applicable)*

(c) ☐ No additional fee for claims is required.

OR

(d) ☒ Total additional fee for claims required \$289.00

#### FEE PAYMENT

5. ☒ Attached is a check in the sum of **\$ 944.00 Total:**

**\$ 180.00** for the IDS fee

**\$ 475.00** for the extension fee.

**\$ 289.00** for claims fee.

**\$ 944.00 Total**

**FEE DEFICIENCY**

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

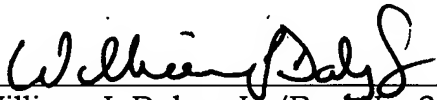
6.     ☒     If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- ☒     If any additional fee for claims is required, charge Account No. 04-1105.

Respectfully submitted,

Date: June 8, 2004

  
\_\_\_\_\_  
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Attorney Docket No. 56492 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS J. H. Anderson, *et al* EXAMINER: Ashburn, Stephen L  
U.S.S.N.: 10/091,742 GROUP: Group: 3714  
FILED: March 5, 2002 Conf. No. Conf. No. 8190  
FOR: SIMULATION SYSTEM FOR IMAGE-GUIDED MEDICAL  
PROCEDURES

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

**JUN 22 2004**

TECHNOLOGY CENTER 3700

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**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 8, 2004.

By: \_\_\_\_\_

Judy Daley

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**RESPONSE TO OFFICE ACTION**

Sir/Madam:

The following is in response to the Office Action mailed December 8, 2003, in the above referenced application. A petition has also been filed herewith requesting a three (3) month extension of time to June 8, 2004, to respond to the above referenced Office Action.

06/16/2004 SDENB081 00000058 10091742

02 FC:2253  
03 FC:2202  
04 FC:9998

475.00 OP  
288.00 OP  
1.00 OP

**Attorney Docket No.:** 56492 (71699)  
**U.S.S.N.** 10/091,742  
**Filed:** March 5, 2002  
**Amendment and Response to Non-Final Office Action**  
**Page 2 of 26**

Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 3 of this paper.

**Remarks** begin on page 18 of this paper.